

FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)

2014 JUL 11 P 2:44

AMJAD H. KHAN,

Plaintiff,

v.

COMMONWEALTH TRUSTEES, LLC, et al.

Defendants.

Civil Action No. 1:14-CV-00870

(TSE/T00)

[formerly Circuit Court for Fairfax  
County, Virginia CL 2014-05703]

**NOTICE OF REMOVAL**

Defendant Wells Fargo Bank, National Association (“Wells Fargo”), by counsel, with the consent of Defendant Commonwealth Trustees, LLC, hereby removes Case No. CL 2014-05703 from the Circuit Court for Fairfax County, Virginia, to the United States District Court for the Eastern District of Virginia (Alexandria Division) pursuant to 28 U.S.C. §§ 1331, 1441 and 1446, and as grounds for the removal state as follows:

**STATEMENT OF THE CASE**

1. On April 25, 2014, Plaintiff Amjad H. Khan (“Khan”) filed a Complaint in the Circuit Court for Fairfax County, Virginia, styled Amjad H. Khan v. Commonwealth Trustees, LLC, et al., Case No. CL 2014-05703 (the “State Court Action”). The two named defendants in the State Court Action who have been served are Commonwealth Trustees, LLC and Wells Fargo.

2. On June 27, 2014, Khan filed a “Motion for Leave to Add New Parties and Amend Pleadings.” In that motion, Khan sought to file an Amended Complaint to add new claims against Wells Fargo, which include alleged violations of 12 U.S.C. § 3757 as well as

certain parts of the federal “Making Homes Affordable” program. The initial Complaint does not include these allegations.

3. On June 30, 2014, Wells Fargo received the Motion for Leave to Add New Parties and Amend Pleadings, which attached the proposed Amended Complaint.

4. On July 11, 2014, the Amended Complaint was deemed filed in the State Court Action.

**FEDERAL QUESTION JURISDICTION UNDER 28 U.S.C. § 1331**

5. This Court has jurisdiction over this matter under 28 U.S.C. § 1331 because the Amended Complaint raises claims based on federal law, including 12 U.S.C. § 3757 and certain parts of the federal “Making Homes Affordable” program.

**ALL PROCEDURAL REQUIREMENTS  
FOR REMOVAL HAVE BEEN SATISFIED**

6. Pursuant to 28 U.S.C. § 1446(a), a true and correct copy of all of the process, pleadings, orders and documents from the State Court Action are being filed with this Notice of Removal and are attached hereto as Exhibit A. Defendants will file a Notice of Filing of Notice of Removal with the Fairfax County Circuit Court.

7. This Notice of Removal is timely in accordance with 28 U.S.C. § 1446(b)(3), as Wells Fargo received the Motion for Leave to Add New Parties and Amend Pleadings on June 30, 2014, which attached the proposed Amended Complaint, and the Amended Complaint was deemed filed on July 11, 2014. Accordingly, 30 days have not yet passed from the date this matter first became removable.

8. Venue is proper in this court pursuant to 28 U.S.C. §§ 1441(a) and 1446(a) because the U.S. District Court for the Eastern District of Virginia, Alexandria Division is the

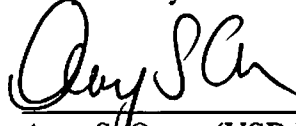
federal judicial district encompassing the Circuit Court for Fairfax County, Virginia where the State Court Action was originally filed.

9. In accordance with 28 U.S.C. §§ 1441(a) and 1446(b), the other Defendant in the case which has been served, Commonwealth Trustees, LLC, consents to removal of this action.

**CONCLUSION**

By this Notice of Removal, Defendants do not waive any defenses or objections they may have to this action. Defendants intend no admission of fact, law or liability by this Notice and expressly reserve all defenses, motions, and/or pleas.

Respectfully Submitted,



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*Counsel for Defendant Wells Fargo Bank, N.A.*

**CERTIFICATE OF SERVICE**

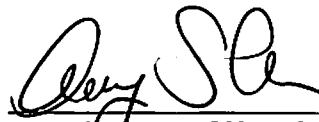
I hereby certify that a true and correct copy of the foregoing Notice of Removal was served by first class mail to the following on this 11th day of July, 2014:

Stephanie A. Laufer  
Soo Kang Keithley  
10560 Main Street, Suite 319  
Fairfax, Virginia 22030

Mark D. Meyer  
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PNC Bank, National Association  
c/o Corporation Service Company  
Bank of America Center, 16<sup>th</sup> Floor  
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Woods Rogers PLC  
c/o George Leloudis, Ex. Director  
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